

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

EARNEST UNDERWOOD II,

Plaintiff,

Case No. 3:17-cv-16

vs.

COMMISSIONER OF
SOCIAL SECURITY,

District Judge Walter H. Rice
Magistrate Judge Michael J. Newman

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Michael J. Newman (Doc. #23), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendation.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendation (Doc. #23) is **ADOPTED** in full;
2. Plaintiff's Motion for Attorney's Fees (Doc. #14), as modified by Plaintiff's reply brief (Doc. #20) be **GRANTED**;
3. Plaintiff's Counsel be **AWARDED** the requested sum of \$15,479.25.00 in attorney's fees as follows: the \$6,000.00 sum now held in escrow be released to Plaintiff's counsel and the Commissioner is directed to award Plaintiff's Counsel the difference between these two amounts, *i.e.*, \$9,479.25; and
4. This case remains **TERMINATED** on the docket of this Court.

Date: 28-19



WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE